

2 is a standard single-point needle with an inner end apparently imbedded in or flush with the end formation 1a.

2. There is no structure whatsoever comparable with the "washer" of claim 1. If the formation 1a is also the washer, it does not meet the language of claim 1 since it has nothing resembling a membrane closing a hole and "spaced axially inward from the inner point and out of engagement with the needle." The examiner's statement on page 2 of the action that there is "a washer (1a) between the inner cap and the body end, having a central hole into which the inner point of the needle engages, and provided with a membrane (see figure 1) closing the hole and spaced axially inward from the inner point and out of engagement with the needle" is fantasy. There is no such structure. Neither the word "membrane" nor the word "washer" can be found in Brunel. No membrane structure is illustrated, nor would one serve any function.

3. The "interfitting formations" that "releasably" retain the outer cap on the ring in either an outer or an inner position is seen nowhere in Brunel. Here there is one position, an inner position shown in FIG. 1 and a completely broken-off position shown in FIG. 2. The slidable assembly for protecting the needle shown in FIGS. 13 and 14 is not comparable to the positions of the instant invention. There is absolutely nothing in Brunel to suggest that, even if the end cap 8b is not broken off the sleeve 8 in the outer position the "interior of the outer cap is open to the exterior" in the outer position. In fact the structures of Brunel

all appear to be solid sleeves so that the interior is blocked off from the exterior in both the inner and outer positions of the protective sleeve 8. Once again, specific language in claim 1 is being ignored in the rejection.

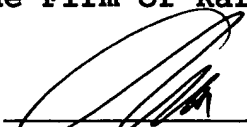
Simply put, the rejection is not really based on what Brunel shows or describes, but on a completely wrong interpretation of this reference and/or a reading into this reference of structure or features nowhere shown or suggested by it. Several specifically claimed elements - the inner point of the needle, the membrane, the washer - are not shown or discussed in Brunel and other more functional features - the outer position for opening the interior of the assembly to the exterior - are not suggested. The rejection under §102 has no support whatsoever and, since the missing structure and function are not suggested, a §103 rejection is similarly out of the question.

The other cited reference, US 5,624,405 of Futagawa, is even further afield. It completely lacks any dual-position end parts and does not show a needle, washer, or membrane. This reference is irrelevant to the instant invention.

The examiner is respectfully requested to review the rejection to see if the structure of claim 1 really is shown or suggested by the cited references. It will be clear that it is not shown or suggested and that the rejection must be withdrawn.

If only minor problems that could be corrected by means of a telephone conference stand in the way of allowance of this case, the examiner is invited to call the undersigned to make the necessary corrections.

Respectfully submitted,  
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Enclosure:                      Extension Request